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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/587,496 | 07/27/2006 | Akio Taniguchi | 5404/166 | 8335 |
| 757 7590 09/05/2008 BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610 | | | | |
| EXAMINER | | | | |
| MULLS, JEFFREY C | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 1796 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 09/05/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/587,496

Applicant(s)

TANIGUCHI ET AL.

Examiner

Jeffrey C. Mullis

Art Unit

1796

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date See Continuation Sheet
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :3-22-07;3-13-07;10-13-06;7-27-06.

Applicant's election without traverse of linear block copolymers; Methacrylate blocks; X=anhydride and Y=epoxy in the reply filed on 7-22-08 is acknowledged.

Claims 5 and 15-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "powder slash molding" is not art recognized and is therefore unclear. Boiling point is dependent on pressure which is not specified in claim 5 and claim 5 is therefore unclear.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Reitberg et al. (WO 99/62978), cited by applicants.

Patentees disclose a coating (as a coating is a thin film on another material it reasonably encompasses applicants "skin") composition containing an epoxy crosslinker reactive with a function group of a block copolymer (page 10, lines 25-30). Norte at least example 1 where carboxy functional block copolymers are produced.

Claims 1-12 and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Goetz et al. (US 2003/0100675).

The reference discloses thermosetting coating composition (abstract) containing epoxy functional copolymers and methacrylic block copolymers containing (carboxyl

generating) TBMA units. Note Table 2 on page 17 which uses the block copolymers of Table 1.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuji et al. (WO 02081561).

The above WO document corresponds to US 2004/0106732 which will be referred to since it is in English.

The reference discloses a composition containing block copolymers with at least one acrylic and one methacrylic block (abstract). Note that curing agents reactive with the block copolymer may be added at paragraph 277 and that the block copolymer may have epoxy functionality and note paragraph 371 for block copolymers with carboxyl or anhydride functionality. Fillers and lubricants may be added in paragraph 282.

Claims 1-3 and 5-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Kakeda et al. WO02092696 (corresponding to US 2004/0147674).

The US reference discloses a block copolymer with a methacrylic block and an acrylic block (Abstract) containing a reactive functional groups and multifunctional curing agents therefor (paragraphs 277-279). Note use of fillers and lubricants at paragraphs 281 and 282.

Claims 1-13 and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Spinelli et al. (US 4,940,761).

Patentees disclose a coating composition containing a methacrylate/ acrylate block copolymer with epoxy functionality combined with multifunctional crosslinkers in Examples 9A and 9B.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaneda, cited by applicants (JP 200260449).

Note that applicants international search report (apparently submitted as applicants concise explanation required by MPEP 609 for foreign language references) indicates the reference is in the "X" category. Note that the Patent Abstracts of Japan Abstract discloses that the patent discloses compositions containing block copolymers with acrylic and methacrylic blocks with curable reactive groups.

Any inquiry concerning this communication should be directed to Jeffrey C. Mullis at telephone number 571 272 1075.

Jeffrey C. Mullis
Primary Examiner
Art Unit 1796

JCM

9-2-08

/Jeffrey C. Mullis/

Primary Examiner, Art Unit 1796